



**REGULAR/WORKSESSION MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, May 7, 2019 4:00 P.M.**

The Regular Meeting of City Council of the City of Cape May was called to order by City Mayor, Clarence F. Lear III at 4:00 P.M. Tuesday, May 7, 2019 in the Cape May City Hall Auditorium. The Pledge of Allegiance was recited.

Patricia Harbora, City Clerk announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May Star and Wave and The Press of Atlantic City and a copy of the agenda was delivered to each Member of Council and was posted on the City Hall Bulletin Board.

Present: Deputy Mayor Patricia Gray Hendricks
Mayor Clarence F. Lear, III
Councilmember Shaine P. Meier
Councilmember Zack Mullock
Councilmember Stacy D. Sheehan

Also, Present: City Solicitor Frank Corrado
City Manager Neil Young
City Clerk Patricia Harbora

Minutes do not reflect the actual order in which the events occurred.

AGENDA ADDITION/DELETION OF LATE AGENDA ITEMS TO BE CONSIDERED FOR ACTION

PROCLAMATION

Kennedy Campbell, Junior Lifeguard
Knights of Columbus

RECOGNITION

1st Place - TREX Bench Students plastic bag recognition was awarded to:
Cape May City Elementary School which collected 476.80 pounds with the enrollment of 125 students. On a bag per student perspective, that would be 314.57 bags!

Captain Geoff Rife announced Cape May Beach Safety Week, May 20, 2019 to May 27, 2019.

SPECIAL PRESENTATION

Joseph Rizzuto, Executive Director and John Conturo, Solid Waste Program Manager gave a presentation on Cape May County changing nature and costs of recycling

Councilmember Mullock asked if the plastic lids from bottles can be recycled.

Wayne H. Keyser, 1027 New Jersey Ave- Mr. Keyser commented that his renters will not use the app and asked Mr. Rizzuto if there is information, he can provide to improve recycling for rental properties.

ENGINEER REPORT

Thomas R. Thornton, PE, CME:

Reconstruction of Pennsylvania Avenue between Wilmington and Brooklyn Avenue – Charles Marandino, LLC was awarded the project. The contractor completed the water main, storm sewer improvements and concrete work. The completion of roadway improvements is scheduled for June 2019.

Reconstruction of New Jersey Avenue between Wilmington to Brooklyn Avenue – Project is on schedule and crew is working on a complicated manhole and will be working on the sewer construction.

Cape May Stage Fire suppression system, Dale Place Reconstruction, Utility upgrades and Lafayette Street Sanitary Sewer Extension projects are complete.

PROJECTS IN DESIGN PHASE

- Cape Island Water Transmission Main Rehabilitation
- Soldiers and Sailors Park
- Lafayette Street Park Final Design, Permitting, Bidding and Inspection (Phase 2 & 3)

Councilmember Sheehan asked Mr. Thornton to provide her the plans to review for the Soldiers and Sailors Monument. Also, Ms. Sheehan asked if the Cape May County Open Space Program will be funding the Soldiers and Sailors Monument so Council can have a timeframe for making any changes to the project. Finally, Ms. Sheehan asked the Engineer when City Council can meet to discuss the project.

Councilmember Meier asked how long it would take to get permits for the Cape Island Creek project.

Mr. Thornton will look into obtaining the permits and get back to Council.

Deputy Mayor Hendricks inquired about Cape May County Open Space.

COMMITTEE UPDATE

Municipal Buildings and Properties Advisory Committee- Robert Elwell Chairperson, Tim Walsh Member, Charlie King Member and Wayne Keyser Member

Mr. Elwell complimented the Public Works Department on the restructuring of the Ocean Street restrooms.

Mr. Walsh provided recommendations from the Municipal Buildings and Properties Advisory Committee:

The Committee recommended renovations of the Grant Street restrooms inside and outside, the building is in poor condition. Secondly, the Committee recommended a newly constructed restroom at Jackson Street, Queen Street and at the Convention Hall Annex which would allow the city to remove the bathroom trailer at Gurney Street. Also, restroom trailers should be replaced because they are at the end of the ten-year expectancy. The Committee suggested all new structures be aesthetically pleasing with all exteriors like the Cove Pavilion and the Broadway Beach Pavilion.

Councilmember Meier asked if the pilings on Jackson Street were supposed to be for a bathroom originally and if there were previous plans.

Mr. Elwell advised Council that plans were previously provided to City Council to reconstruct a bathroom on Jackson Street but the residents on Jackson Street complained that the building would block their view of the beach.

Councilmember Mullock thanked the Municipal Buildings and Properties Advisory Committee on their recommendations. Also, Mr. Mullock asked if the City can access utility lines on Jackson Street.

Mr. Walsh- explained that the utility lines had to do with getting around the seawall.

Councilmember Sheehan suggest tapping into the building next door on Jackson Street.

Mr. Keyser presents a slide presentation on City buildings including Canning House Lane, Public Works, Madison Avenue Water Tower and several buildings and properties in the City. The committee found that the buildings and properties are in good condition and well maintained. Mr. Keyser states that they did find that there is a need for a large garage for storage for large equipment and maintenance for City equipment. Pump Station located at 168 Delaware Avenue was recently upgraded with an on-site generator to maintain service for a power outage. Finally, the Committee suggests City's fire hydrants to be painted.

Councilmember Mullock ask if there was an additional proposal for the Canning House Lane facility.

Mr. Keyser replied that Mr. Picard; Public Work Superintendent has the proposal.

City Manager Young explained that there was a bond ordinance for that Canning House Lane project, but the bids came in much higher than expected.

ORDINANCES FOR INTRODUCTION:

377-2019 An Ordinance Amending the Cape May City Code with respect to the
Appointments of the Fire and Police Chiefs

City Solicitor, Mr. Corrado explained Ordinance 377-2019 amending the ordinance which will bring the City's into compliance with the former government.

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

REGULAR MEETING BUSINESS :

RESOLUTIONS:

110-05-2019 Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 Pl 1948 – Cops in Shops College Summer Shore Initiative 2019

Motion: Hendricks Second: Sheehan

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

111-05-2019 Resolution Appealing to New Jersey Department of Environmental Protection Commissioner Catherine R. McCabe to Support Development of the Sewell Tract for Preservation and Conservation Purposes Only **AMENDED**

Motion: Mullock Second: Meier

Hendricks: Abstain Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

111-05-2019 Resolution Appealing to New Jersey Department of Environmental Protection Commissioner Catherine R. McCabe to Support Development of the Sewell Tract for Preservation and Conservation Purposes Only

Motion: Mullock Second: Meier

Hendricks: Abstain Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Harry Belangy, Chairperson of the Master Plan Advisory Committee – Mr. Belangy gave Council a history of the Sewell Tract functions and the supporting Resolution 111-05-2019.

Gretchen Whitman, 704 St James Place- Ms. Whitman informed Council on the importance of preserving the Sewell Tract not just for the residents of Cape May, but on a national level as well. Ms. Whitman on behalf of the Audubon Society supports Resolution 111-05-2019.

Dr. Scott Maslow, 18 Second Avenue, Chairman of the Seawall and Promenade Advisory Committee, talked about the cost and history of flood insurance for homeowners in Cape May. Mr. Maslow referred to the Master Plan regarding rising sea levels. Mr. Maslow supports Resolution 111-05-2019.

Pastor Jeff Elliot Cape May Lutheran Church- commented that the DEP isn't doing their job and asked City Council to contact DEP to protect the environment. Mr. Elliot supports Resolution 111-05-2019.

Charlie Hendricks, President/Trustee of the “Concerned Citizens for the Sewell Tract Preservation”, 106 Trenton Avenue, supports Resolution 111-05-2019. Mr. Hendricks updated City Council and the public on a lawsuit against DEP concerning the Sewell Tract.

Jim Testa, 1501 Beach Avenue - Mr. Testa commented to City Council on an excellent job done with Resolution 111-05-2019 concerning the Sewell Tract.

112-05-2019 Resolution Regarding City of Cape May City-Wide Bi-Annual Sidewalk Sale

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Meier ask if the sidewalk sale has a rain date.

City Manager Neill Young explained that the sidewalk sale has no rain date because of the amount of days during the event.

113-05-2019 Resolution Supporting the Application of the Center for Community Arts for a National Endowment for the Humanities Grant

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Sheehan asked if Resolution 113-05-2019 is in support of a grant they went for already, and is the City issuing a bond that it will be connected to.

City Manager Young advises that this is a new grant.

114-05-2019 Resolution for Appointment of Vice Chairperson to the Public Safety Building Advisory Committee – Rosanne Traficante

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: No Sheehan: No Lear: Yes

Councilmember Sheehan stated that she voted no only because she was not consulted in the search for a new member. Ms. Sheehan suggested Bob Boyd for Chair Person of the Public Safety Building Advisory Committee. Ms. Sheehan suggested that the Mayor should discuss with each member of Council the Agenda items before Friday (Agenda Day).

Mayor Lear explained that Friday is the official business day and completion of items on the Agenda.

Councilmember Mullock agreed with Ms. Sheehan and suggested reaching out to Councilmembers and having a consensus before the agenda is completed.

115-05-2019 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 – UAW Lifeguards, GWU Middle Management Contracts and City Litigations

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

116-05-2019 Resolution Authorizing Purchase of 2020 Peterbilt 348 Tandem Axle Cab & Chassis Under Sourcewell Contract No. 081716-Pmc (\$118,042.00)

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Meier suggested putting City decals on all newly purchased vehicles and trucks.

Councilmember Sheehan asked if this is the second truck that will be purchased for recycling.

City Manager Young replied yes.

117-05-2019 Resolution Authorizing Purchase of One (1) Leach 25 Cu. Yd. Rear Loader Body Under Sourcewell Contract No. 112014-Leg (\$86,987.00)

Motion: Hendricks Second: Sheehan

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Meier asked if the City will save money picking up recycling.

City Manager Young states that over time the City will save money.

118-05-2019 Resolution Awarding a Contract for Transportation Services for the City of Cape May to the Atlantic City Jitney Association

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Sheehan asked Council if the Jitney Service has location stops, times and proper signage.

Councilmember Sheehan asked City Solisitor if it is legal for the Jitney service to stop for anyone who waves them down. Ms. Sheehan talked about the advertising on the Jitney vehicles.

Mr. Corrado advised that the contract gives the City flexibility which the Atlantic City Jitney Association agreed to work with the City in terms of the contract. Mr. Corrado advises that the resolution on the agenda allows the City to negotiate a contract for a Jitney services. Mr. Corrado advised that a person can wave a Jitney vehicle down as long as the traffic is not heavy due to public safety.

Councilmember Mullock asked about advertisement on the Jitney.

Mr. Corrado replied that it is up to the Jitney Association for advertisement on their vehicles.

Deputy Mayor Hendricks advises that Admiral Schultz, United States Coast Guard is appreciative that the Jitney route will stop at the Coast Guard Base so that the recruits will have transportation to other locations in town.

Manny Mathioudakis, President of the Atlantic City Jitney Association, stated that the city contract will offer flexibility with the routes and times for the Jitney service. Mr. Mathioudakis advised that the Jitney will stop if someone waves depending on the traffic for safety reasons.

Tony Morgano, Atlantic City Jitney association stated that if businesses are interested in advertising on the Jitneys, the Association would work that out with the advertisers. Mr. Moragno advises that the phone app will show the Jitney vehicle number and the time they will be arriving at each stop.

Mayor Lear explained downloading the phone app process so that the person will be able to know where and when the Jitney's stop.

Linda Wolf, 1015 New Jersey Avenue, Member of the Coast Guard Board of Trustees and Community Foundation - Ms. Wolfe commented that the members of the Community Foundation would like to participate more in the Cape May Community.

Bill Seeger, Vermont Ave.- Mr. Seeger asked if the Jitney Association is an independent owner?

Mr. Morgano replied that the Atlantic City Jitney Association is a nonprofit trade association comprised of one hundred and ninety (190) Jitney drivers. Each operator is a licensed member of the Jitney Association which sets rules for the drivers.
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119-05-2019 Authorization to Submit a Grant Application for the Neighborhood Preservation Program from the New Jersey Department of Community Affairs

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes
Councilmember Sheehan- Ms. Sheehan asked if the map can include all of Cape May

City Manager Young gives a history of the grant awarded to the City of Cape May and advises that the entire grant can be used in the City.

Deputy Mayor Hendricks advised that the City of Cape May applied for the Neighborhood Preservation grant eleven years ago. The two choices for the state grant this year are Cape May City and Ocean City.

Mayor Lear and Councilmember Sheehan discussed the grant with Mr. James Rutala this afternoon.

120-05-2019 Resolution of the City of Cape May Authorizing Change Order Number 2 for the Contract with Mathis Construction Co., Inc. for the Hughes Street and Stockton Place Water and Sewer Replacement Project, Contract M-3

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

Councilmember Sheehan- Ms. Sheehan asked if the change order is a refund or final payment.

City Manager Young advised that the change order is a final payment for this project.

121-05-2019 Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

122-05-2019 Cape May City Payment of Bills

Motion: Hendricks Second: Meier

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

MINUTES:

Cape May City Council Closed Session Meeting Minutes dated April 2, 2019

Motion: Meier Second: Hendricks

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

REPORTS:

Tax Collector Monthly Report for the month of March 2019

Motion: Meier Second: Hendricks

Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes

NEW BUSINESS:

A) City Attorney – Mr. Corrado advised that amending Section 440 of the City of Cape May code regulating streets and sidewalks to include regulation of wireless and telecommunication facilities in the Municipal right of way.

B) City Manager - Mr. Young announced that the Cape May City Bond session will be held in July.

C) City Clerk - Ms. Harbora advised that the Red Cross needs blood supply and that the semi-annual Cape May Blood Drive held in April was down in the number of pints collected.

D) Councilmembers-

Councilmember Mullock - Mr. Mullock asked City Solicitor if the City of Cape May has to adopt an ordinance along with the State of New Jersey on “No Smoking Ban on State Beaches”.

Mr. Corrado replied that the City of Cape May would only pass an ordinance if the City wants to establish a smoking zone (area) for certain beaches.

Councilmember Mullock asked if the City has the correct signage with the State of New Jersey to ban smoking on the beaches.

City Manager Young advised that “No Smoking signs” will be posted along the beach in accordance with the New Jersey State Law.

Councilmember Sheehan- Ms. Sheehan expressed that putting parking spaces in front of the Convention Center is a good idea. Also, Ms. Sheehan announced the next Public Safety and Building Advisory Committee meeting on May 14, 2019 at 10:00AM in the Auditorium and the public is welcome. Ms. Sheehan inquired about the development of the Soldiers and Sailors Park.

Deputy Mayor Hendricks – Ms. Hendricks commented that Cape May, West Cape May and Cape May Point met with the Bicycle and Pedestrian Advisory Committee to discuss the bike path connection between the municipalities, which should be in place by Memorial Day. Ms. Hendricks gave an update on the Soldiers and Sailors Park.

Mayor Lear- Mayor Lear announced that Kennedy Campbell was named the top Junior Lifeguard by the U.S. National Lifesaving Association. Mayor thanked everyone that participated in the plastic bag challenge for the City of Cape May.

Captain Rife, Cape May Beach Patrol, talked about Cape May City safety week, May 20, 2019 through May 27, 2019.

PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone.

Jerry Inderwies, Deputy City Manager comments that the Jitney Service is environmentally friendly, vehicles are one hundred percent emission free and run on natural gas. Also, Mr. Inderwies advised that the Jitneys are handicapped accessible and climate controlled.

Councilmember Mullock stated that the costs of the Jitney service for the city is eighty thousand per season.

Deputy Mayor Hendricks advised that each vehicle cost four hundred dollars a day.

Bill Seeger, Vermont Ave.- Mr. Seeger asked if the Neighborhood Preservation Program grant requires a matching co-pay with the City.

City Manager Young advises that only twenty percent is required.

Harry Bellangy, Cape May Historical Society, 511 Pearl Street - Mr. Bellangy informs City Council that the All Wars Memorial Park has the only World War I Memorial in Cape May County and may have a grant available for National recognition.

Councilmember Meier advises that any grant the City receives benefits everyone in the City.

Lenore McGann, 133 New Jersey Ave., Villas- suggested that the gardens in front of Convention Hall be removed and used for parking spaces. Also, Ms. McGann suggested that vacant commercial property owners should come before Council for suggestions on the use of their property. Ms. McGann offered suggestions on what can be done with the movie theater in Cape May.

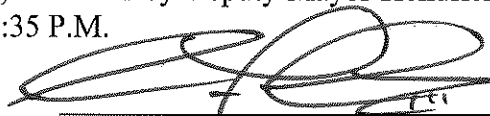
CLOSED SESSION: 7:24PM

OPEN SESSION: 8:25PM

Motion: Meier Second: Hendricks

ADJOURNMENT:

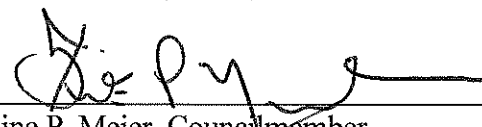
Motion made by Councilmember Meier, seconded by Deputy Mayor Hendricks, to adjourn with all in favor. The meeting adjourned at 8:35 P.M.



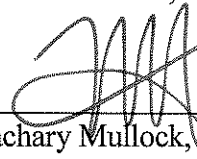
Clarence F. Dear III, Mayor



Patricia Gray Hendricks, Deputy Mayor



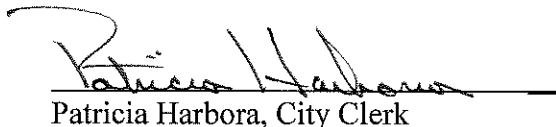
Shaine P. Meier, Councilmember



Zachary Mullock, Councilmember



Stacy D. Sheehan, Councilmember



Patricia Harbora, City Clerk

